

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, FEBRUARY 21, 2002
8:15 A.M.**

Commissioners Present: Bob Workman, Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Commissioners Absent: Bernie Heier, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 8:16 a.m.

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY,
FEBRUARY 14, 2002 AND TUESDAY, FEBRUARY 19, 2002**

The Board held approval of the Staff Meeting minutes of Tuesday, February 19, 2002.

MOTION: Stevens moved and Workman seconded approval of the Staff Meeting minutes of Thursday, February 14, 2002. Stevens and Workman voted aye. Hudkins voted no. Campbell abstained from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Report from Mayor Wesely on Lincoln Partnership for Economic Development (LPED)
- B. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee (Board Member Meetings)
- C. Memorandum from Kit Boesch, Human Services Administrator, to the Justice Council (Exhibit A)

MOTION: Hudkins moved and Campbell seconded approval of the additions to the agenda. Stevens, Hudkins, Workman and Campbell voted aye. Motion carried.

3 DISCUSSION OF BOARD MEMBER MEETINGS

A. Local Emergency Planning Committee - Workman

No report was given.

B. Nebraska Association of County Officials (NACO) Conference Call - Workman

Workman said the conference call focused on LB 600 (changes agricultural and horticultural land valuation provisions) and LB 687 (change state and county retirement system contribution rates and state intent regarding system changes). A second conference call is scheduled for February 22, 2002 to get a consensus on the bills.

C. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Hudkins, Stevens

Hudkins and Stevens reported that discussion focused on the following:

- LB 936 (authorize drainage programs and storm sewer systems for cities, villages, and natural resources districts)
- Lincoln Public Schools (LPS) budget

ADDITIONS TO THE AGENDA

C. Memorandum from Kit Boesch, Human Services Administrator, to the Justice Council (Exhibit A)

Campbell questioned why names for an Adult Project Coordinator are being solicited from the Justice Council if the position is being opened through the Personnel Department. She agreed to follow-up on the matter with Kit Boesch, Human Services Administrator.

4 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, gave a legislative update (Exhibit B), noting the following:

- Only three priority bills have been addressed by the Legislature, to date.
- Appropriations Committee will meet next week to make recommendations regarding budget cuts.
- LB 1123 (provide an exception to competitive bidding requirements under the County Purchasing Act) remains in the Government Committee.

- Revenue Committee is scheduled to hear LB 1242 (change distribution of inheritance tax revenue) and LB 1243 (change the inheritance tax exemption) today. The committee killed LB 28 (changes an exemption amount subject to inheritance tax and creates the County Inheritance Tax Replacement Fund) and LB 725 (changes the distribution of estate tax revenue and changes the exempt amount for inheritance tax purposes). The committee prioritized LB 905 (change estate and generation-skipping transfer tax provisions).

MOTION: Hudkins moved and Campbell seconded to authorize Dave Kroeker, Budget and Fiscal Officer, to testify in opposition to LB 1242 and LB 1243 on behalf of Lancaster County. Campbell, Workman, Hudkins and Stevens voted aye. Motion carried.

- Revenue Committee advanced LB 1125 (prorate distributions under the County Property Tax Relief Program).
- Senator Coordsen has asked the Speaker to place LB 600 (changes agricultural and horticultural land valuation provisions) back on the agenda.

Workman said the Panhandle counties oppose the bill, as it produces land classes.

Eagan said the bill will benefit any county that greenbelts (values property as to its use, not the price it would bring on the open market).

Hudkins said the Area 5 Agricultural and Horticultural Land Valuation Board (AHLVB) believes the bill is a more fair approach than market value (highest and best use).

MOTION: Hudkins moved and Campbell seconded to support the concept of LB 600. Campbell, Workman, Hudkins and Stevens voted aye. Motion carried.

- Senator Schrock is drafting an amendment that essentially "guts" most of LB 936 (authorize drainage programs and storm sewer systems for cities, villages, and natural resources districts).

Workman said the Nebraska Association of County Officials (NACO) will probably support LB 687 (change state and county retirement system contribution rates and state intent regarding system changes).

Dave Johnson, Deputy County Attorney, said amendment language was drafted for LB 1115 (authorize Drug Court programs) to authorize the County to pay in advance of services when contracting with a State agency. He said the State Auditor has been apprised of the conflict between Lancaster County and State Probation Administration resulting from laws that govern how the County pays for services and the way State Probation Administration is able to provide services to the Drug Court, but has declined to issue a written opinion with regards to how Lancaster County administers the contract.

Kissel reported that Senator Aguilar has prioritized the bill.

Johnson noted that hiring of two additional staff for the Drug Court has been delayed, pending resolution of the problem.

Eagan suggested that they be hired as temporary County employees.

Johnson said State Probation would still be operating "in the red" for the two existing positions.

Campbell said the Board is going to have to break the "logjam" if the program is to continue. She suggested development of an interim contract that states that this is a federal grant program and referencing efforts to seek a legislative solution.

Kissel said the Legislature could be asked to add an emergency clause to the bill.

Board consensus to schedule the interlocal agreement with State Probation Administration to provide a Drug Treatment Court Coordinator, two Drug Treatment Court Probation Officers and a part-time Drug Technician on the February 26, 2002 County Board of Commissioners Meeting agenda, limiting the term of the agreement to six months.

5 REPORT ON NEBRASKA GREAT PLAINS RESOURCE CONSERVATION & DEVELOPMENT (RC&D) PROGRAM - Judy Adams, Lincoln Action Program Rural Coordinator

Judy Adams, Lincoln Action Program Rural Coordinator, updated the Board on the activities of the Great Plains Resource Conservation & Development (RC&D) Program, explaining that the RC&D projects receive funding through grants and contributions.

The following documents were disseminated (Exhibit C):

- *Nebraska Great Plains RC&D 2001/2002 Annual Plan of Work*
- *Nebraska Great Plains RC&D, Completed Projects*
- *Service Providers Key to RC&D*
- *State RC& D Newsletter*

The Board tentatively scheduled a meeting on March 21, 2002 with Village Clerks and Boards.

LABOR NEGOTIATIONS - Georgia Glass, Personnel Director; Diane Staab, Deputy County Attorney

MOTION: Campbell moved and Hudkins seconded to enter Executive Session at 9:23 a.m. for discussion of labor negotiations. Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

MOTION: Campbell moved and Hudkins seconded to exit Executive Session at 9:36 a.m. Campbell, Hudkins, Stevens and Workman voted aye. Motion carried.

7 WELLNESS SURVEY - Sue Eckley, Workers' Compensation & Risk Management Manager

Sue Eckley, Workers' Compensation & Risk Management Manager, said Lancaster County is a member of WorkWell, Inc., a division of the Lincoln/Lancaster County Health Department and has been recognized as a Well Workplace Site. She said employees are surveyed for health habits and interests as part of that process and data from the survey will be used to develop wellness programs, in coordination with the City.

Campbell suggested that it would be more appropriate for the Lincoln/Lancaster County Health Department to run the wellness programs.

MOTION: Campbell moved and Stevens seconded to send a letter to Bruce Dart, Lincoln/Lancaster County Health Department Director, with a copy to Mayor Wesely, suggesting that the County and City's WorkWell, Inc. programs be reconfigured under the Lincoln/Lancaster County Health Department. Stevens, Hudkins, Workman and Campbell voted aye. Motion carried.

8 PURCHASE OF RAINCOATS FOR VOLUNTEERS - Doug Ahlberg, Emergency Management Director

Doug Ahlberg, Emergency Management Director, requested authorization to purchase raincoats with identifying logos for 40 of the storm spotters, at a cost of \$20 apiece.

In response to a question from Hudkins, Ahlberg said he has sufficient funds in the budget from a State Local Assistance Grant to fund the purchase.

MOTION: Hudkins moved and Stevens seconded to authorize the purchase from the agency budget. Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

9 ACTION ITEMS

- A. Request from Sue Eckley, Workers' Compensation & Risk Management Manager, to Attend Seeking the Silver Lining Conference, March 7, 2002 at the Cornhusker Hotel (2 Attendees)

MOTION: Campbell moved and Stevens seconded approval. Workman, Stevens, Hudkins and Campbell voted aye. Motion carried.

- B. Microcomputer Requests:

1. C#2002-069, \$9,000 from the County Engineer Budget for Two (2) Dell Precision TW Workstations
2. C#2002-071, \$1,216.07 from the Juvenile Court Budget for a Compaq EVO Pentium and Software

MOTION: Campbell moved and Stevens seconded approval, with the stipulation that funding be through the agency budgets. Hudkins, Stevens, Campbell and Workman voted aye. Motion carried.

C. Resolution in the Matter of Setting the Special Election and Boundaries of the Deer Haven Acres Special Paving Improvement District

MOTION: Campbell moved and Stevens seconded approval. Hudkins, Workman, Stevens and Campbell voted aye. Motion carried.

D. Request from the County Assessor to Amend Hire Date for Rob Ogden, Chief Administrative Deputy Assessor

MOTION: Campbell moved and Stevens seconded approval. Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

10 ADMINISTRATIVE OFFICER REPORT

A. Update on Correspondence from Kelly Moore Guenzel Handlos, Clerk of the District Court

The Board reviewed a draft of a letter to Kelly Moore Guenzel Handlos, Clerk of the District Court (Exhibit D) explaining that (1) Hayes and Associates, the County's auditors, are reluctant to provide accounting services for audit clients; (2) the Supreme Court's "Justice Team" is willing to provide assistance in matters related to bank reconciliations, unclaimed funds, recording investment activity, past accounting practices and other accounting matters; and (3) the Auditor of Public Accounts also has resources available.

MOTION: Campbell moved and Stevens authorized the Chair to send the letter, with additional language indicating that the County Board is willing to provide financial assistance, if costs are incurred. Stevens, Hudkins, Workman and Campbell voted aye. Motion carried.

B. Planning Department Update Regarding the Lincoln City-Lancaster County Comprehensive Plan

Item deferred to the February 26, 2002 Staff Meeting.

C. Correspondence Regarding Lincoln Convention & Visitors Bureau (CVB) Support for Jehovah's Witness Convention

MOTION: Campbell moved and Hudkins seconded to authorize Kerry Eagan, Chief Administrative Officer, to write a request for a County Attorney's opinion regarding whether the Visitors Promotion Fund can be used to provide financial assistance to religious organizations. Stevens, Hudkins, Workman and Campbell voted aye. Motion carried.

ADDITIONS TO THE AGENDA

A. Report from Mayor Wesely on Lincoln Partnership for Economic Development (LPED)

Mayor Wesely appeared and voiced concern regarding recent announcements of employee layoffs by several Lincoln businesses and the effectiveness of the Lincoln Partnership for Economic Development (LPED). He said the City and Lincoln Electric System (LES) are withdrawing their pledges of \$25,000 each to LPED for Technology Development Project Coordinator and Economic Development Project Manager positions. Mayor Wesely said the University of Nebraska at Lincoln (UNL) also plans to withdraw its pledge of \$25,000 and will proceed with the Technology Development Project Coordinator position on its own. He suggested that the City, LES and County proceed with the Economic Development Project Manager position and offered the following options:

Option 1: Develop an interlocal agreement between the City, LES and County, with each contributing \$25,000 for the position

Mayor Wesely said he would prefer to have the position under his management, but said the individual would remain accessible to the County Board and could provide periodic updates.

Hudkins said he favors direct accountability to the Board and input into the selection.

Wesley suggested screening and selection by a three person committee (Mayor Wesley and representative of the County Board and UNL).

Option 2: County proceeds with its pledge of \$25,000 to LPED and the City reduces its funding of LPED by the same amount

Wesely said LPED would be held harmless by such an arrangement.

In response to a question from Stevens, Mayor Wesely said the Technology Development Project Coordinator and Economic Development Project Manager will serve as liaisons to LPED.

Hudkins suggested the County redirect its funding of the Rural Enterprise Assistance Program (REAP) towards funding of the Economic Development Project Manager position.

Workman said he would prefer to fund the position through an interlocal agreement, rather than increase LPED's staff.

Mayor Wesely said the City is also reviewing Community Development Block Grant (CDBG) funding, as a number of companies may need assistance.

Campbell said she would like more time to consider the Mayor's proposal. She said she supports the LPED concept and said the County's experience with the City in terms of economic development has not always been positive.

Hudkins concurred and said "maybe we do both."

Board consensus to schedule further discussion with Mayor Wesely and UNL Chancellor Perlman.

11 EMERGENCY ITEMS AND OTHER BUSINESS

Mike Britten, 6000 Saddle Creek Trail, appeared regarding a petition from ten percent of the property owners within the Hitching Post Hills Addition, First Addition, Second Addition and Third Addition in Lancaster County, Nebraska for formation of a Special Paving Improvement District for the paving of Saddle Creek Trail, West Buckthorn Road, West Rodeo Road, Rodeo Circle, Hitching Post Lane, West Paddock Road, Palomino Lane and Hitching Post Circle, which is scheduled for public hearing on the February 26, 2002 County Board of Commissioners Meeting agenda. He said a written protest in the form of petition protesting the formation of the Special Paving Improvement District has been filed, with signatures of the majority of resident property owners.

Johnson said the Election Commissioner is verifying the signatures on the petition in protest. He said if the information is verified the County Board will abandon the proceedings, pursuant to Nebraska State Statutes.

12 ADJOURNMENT

MOTION: Hudkins moved and Stevens seconded to adjourn the meeting at 10:55 a.m. Stevens, Hudkins, Workman and Campbell voted aye. Motion carried.

Bruce Medcalf
County Clerk